

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

AUG 09 2016FOR THE DISTRICT OF NEW MEXICO **MATTHEW J. DYKMAN**
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILLIP LARRY GONZALES,
a.k.a. "Blunt,"

Defendant.

CRIMINAL NO. 16-3299 WJ21 U.S.C. §§ 841 (a)(1) and (b)(1)(C):
Distribution of Heroin.INDICTMENT

The Grand Jury charges:

On or about July 27, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **PHILLIP LARRY GONZALES**, unlawfully, knowingly and intentionally distributed a controlled substance, a mixture and substance containing a detectable amount of heroin.

In violation of 21 U.S.C. §§ 841 (a)(1) and (b)(1)(C).

FORFEITURE ALLEGATION

The charge in this Indictment is re-alleged and incorporated by reference for the purpose of alleging forfeiture to the United States pursuant to 21 U.S.C. § 853.

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendant, **PHILLIP LARRY GONZALES**, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of each offense for which he is convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offenses.

The property to be forfeited to the United States includes but is not limited to the

following:

MONEY JUDGMENT

A sum of money of approximately \$1,100.00 in U.S. currency equal to the amount of proceeds obtained as a result of the offense in the Indictment.

SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

A TRUE BILL:

/s/

FOREPERSON OF THE GRAND JURY

K. Brawley
Assistant United States Attorney

KTB 08/08/16 8:02AM